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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/833,433	04/12/2001	Deborah A. Sollenberger	13DV13926	5280

6111 7590 05/19/2005

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EXAMINER

REILLY, SEAN M

ART UNIT	PAPER NUMBER
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2153

DATE MAILED: 05/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/833,433	SOLLENBERGER ET AL.	
	Examiner	Art Unit	
	Sean Reilly	2153	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 February 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This Office action is in response to Applicant's amendment and request for reconsideration filed on 2/3/05. Claims 1-20 are presented for further examination. Independent claims 1, 11, and 14 have been amended and claims 4, 5, and 17 have been canceled.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1, 6, 7, 10, 11, 14, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Anuff et al. (U.S. Patent Number 6,327,628, hereinafter Anuff) and Bernardo et al. (U.S. Patent Number 6,185,587; hereinafter Bernardo).
2. Regarding claims 1, 11, and 14, Anuff disclosed a system for a user to access information and applications on a network, the system comprising:
 - a server computer comprising a processor and a storage device (Col 3, lines 4-8);
 - a client computer connected to the server computer (Col 3, lines 4-8); and
 - a portal stored in the storage device of the server computer (Col 4, lines 16-17) and accessible by the user on the client computer (Col 3, lines 19-22), the portal being configured to provide access to information and applications on a network (Col 3, lines 59-65), the portal comprising:

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- a plurality of sections (modules), wherein each section of the plurality of sections comprising means for providing access to a particular type of information or application stored on the network (Col 3, lines 59-65 and Col 4, lines 6-12); and
- means for the user to personalize at least one section of the plurality of sections to provide the user with access to particular information and applications related to at least one section of the plurality of sections as selected by the user (Col 4, lines 7-12), wherein at least one section of the plurality of sections comprises means for the user to select at least one module for the section of the plurality of sections being personalized (Edit, Col 4, lines 7-12) and wherein the means for the user to select at least one module comprises:
 - i. means for filtering modules to generate a list of modules (Col 13, lines 60-65; also see Figure 10);
 - ii. means for selecting a module from a list of modules (Col 14, lines 10-14);

Although the module view means (section 3.3.2) disclosed by Anuff may be a previewing means (Col 6, lines 48-57), Anuff fails to specifically recite means for previewing a module from a list of modules. Nevertheless, previewing user-selected modules was well known in the art at the time of the invention, as evidenced Bernardo. In an analogous art, Bernardo disclosed a system for designing web sites where selected modules (Col 6, lines 36-60) may be previewed (Col 10, lines 12-15). It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the previewing functionality disclosed by Bernardo within Anuff's system, since previewing allows the user to immediately view module selections without having

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to exit the edit section to view the changes (Bernardo Col 10, lines 12-19) (For Anuff's edit section see Col 4, lines 7-12).

3. Regarding claims 6 and 7, Anuff disclosed a means for the user to personalize at least one section of the plurality of sections comprises means for arranging the selected at least one module in the section of the plurality of sections being personalized (Col 14, lines 10-14).

4. Regarding claim 10, Anuff disclosed the client computer and the server computer are connected on an Intranet (LAN) (Col 3, lines 8-11).

5. Regarding claim 20, Anuff disclosed the means for providing access to the corresponding group of related information sources comprises means for providing access to information sources and applications stored on at least one of an Intranet, an Internet and an internal network (Col 3, lines 8-11).

6. Claims 2-3, 8-9, 12-13, 15-16, and 18-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Anuff et al. (U.S. Patent Number 6,327,628, hereinafter Anuff) and Bernardo et al. (U.S. Patent Number 6,185,587; hereinafter Bernardo) and Harvey et al. (Intranets and Organizational Learning; hereinafter Harvey).

7. Regarding claims 2, 12, and 15, Anuff disclosed that a portal is user customizable, where a user can select the layout of the portal, and further can determine which modules (Content resources Col 3, lines 59-65) appear in each group of the portal, as well as the order the modules

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appear (Col 4, lines 7-12). Thus, the number of modules existing in a portal and the content each module contains is left to a user's selection and desire.

8. In further considering claim 2, 12, and 15, Anuff disclosed the plurality of sections directed to a group of information sources and applications pertaining to:

- an organization associated with the user (e.g. Employer Col 3, lines 59-65);
- personal selections by the user (Col 4, lines 7-10);

However, Anuff and Bernardo fail to specifically recite the following sections:

- a division of the organization associate with the user;
- customers of the organization associated with the user;
- performance of the organization associated with the user;
- providing feedback to the organization associated with the user.

Nevertheless, Anuff disclosed using the portal within a corporate context and further states "a user may desire to have quick access to various resources and data provided by the employer" (Col 3, lines 32-36). Thus, one of ordinary skill in the art at the time of the invention would have been motivated to seek out resources and data typically provided by employers. In an analogous art, Harvey disclosed a corporate intranet system (Harvey pg 112) which included information sources and applications pertaining to a division (department) of the organization associate with the user, customers of the organization associated with the user, performance of the organization associated with the user, and providing feedback (collaboration) to the organization associated with the user (Harvey pg 114, see section Collaborative Workgroups and Communication). It would have been obvious to one of ordinary skill in the art at the time of the invention to include the corporate information sources and applications disclosed by Harvey

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within the combined Anuff and Bernard system, since Anuff disclosed users desire access to various resources and data provided by their employer (Anuff Col 3, lines 32-36) and further since Harvey disclosed that such information sources and applications facilitate learning and increase productivity (Harvey pg 114, under the heading "Organizational Intranet Deployment").

9. Regarding claims 3, 13, and 16, it is inherent that any portal section which contains content will contain a module for providing that content (Anuff Col 4, lines 7-12 and Col 3, lines 59-65).

10. Regarding claim 8, Anuff disclosed at least one module is constructed with Java Server Page (Col 2, lines 61-67).

11. Regarding claim 9, Anuff disclosed at least one module being configured to provide access to information and applications located remotely from the network (Col 3, lines 59-65).

12. Regarding claims 18 and 19, Anuff disclosed a means for the user to personalize at least one section of the plurality of sections comprises means for arranging the selected at least one module in the section of the plurality of sections being personalized (Col 14, lines 10-14).

Response to Arguments

In response to Applicant's request for reconsideration filed on 2/3/05, the following factual arguments are noted:

- a. Anuff failed to disclose a means for filtering modules.
- b. The Examiner has incorrectly characterized the "sections" of Applicant's claimed invention.

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- c. Anuff failed to disclose a portal containing six specific sections, which provide the information sources described in Applicant's claimed invention.

In considering (a), Examiner respectfully disagrees with Applicant's argument. Anuff clearly teaches a filtering modules as is explicitly evident in Anuff Col 13, lines 60-65 where only news modules are listed (also see Figure 10).

In considering (b), Examiner respectfully disagrees with Applicant's argument. A *section* in Applicant's invention *provides access to information and applications* (§ 08). Thus, a portal, a group/column, or a module as defined by Anuff meet the requirement of Applicant's claimed invention for a section, see inter alia (Col 1, lines 26-39 and Col 4, lines 6-14). The Applicant provides further support for this rationale, with respect to a module, when Applicant admits a module is a resource accessible by a user (Applicant response pg 10). At the very least Anuff's modules are the same as Applicant's sections (See Anuff Figure 2 and Applicant Figure 4).

In considering (c), Examiner respectfully disagrees with Applicant's argument. Anuff purposely leaves the customization of a portal in the users' hands so they can modify the portal as they desire. Anuff disclosed that a portal is user customizable, where a user can select the layout of the portal, and further can determine which modules (Content resources Col 3, lines 59-65) appear in each group of the portal, as well as the order the modules appear (Col 4, lines 7-12). Thus, the number of modules existing in a portal and the content each module contains is

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left to a user's selection and desire. Support for each information source within the six sections is clearly mapped in the office action.

Conclusion

The prior art made of record, in PTO-892 form, and not relied upon is considered pertinent to applicant's disclosure.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sean Reilly whose telephone number is 571-272-4228. The examiner can normally be reached on M-F 8-5.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glen Burgess can be reached on 571-272-3949. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


5/10/05


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